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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/826,095	
	Filing Date	April 16, 2004	
	First Named Inventor	Gupta et. al.	
	Art Unit	2856	
	Examiner Name		
Total Number of Pages in This Submission	6	Attorney Docket Number	PMI-28

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Brown & Michaels PC
Signature	<i>Michael J. Brown</i> Reg. No. 45,012
Date	8/17/04

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
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Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

THE COMMISSIONER OF PATENTS AND TRADEMARKS  
Alexandria VA 22313-140

In re the application of: Gupta et. al.  
For: AUTOMATED CLAMP-ON SAMPLE CHAMBER FOR FLOW POROMETRY  
AND A METHOD OF USING SAME  
Filed: April 16, 2004  
Application No.: 10/826,095  
Art Unit: 2856  
Attorney Docket No.: PMI-28

INFORMATION DISCLOSURE STATEMENT

List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this information Disclosure Statement

1. ☒ Preliminary Statements
2. ☒ FORM PTO - 1449 (Modified)
3. ☐ Statement As To Information Material To Examination Not Found in Patents or Publications
4. ☐ Identification of Prior Application In Which Listed Information Was Already Cited and For Which No Copies Are Submitted Or Need Be Submitted.
5. ☐ Cumulative patents or Publications
6. ☒ Copies of Listed Information Items Accompanying This Statement
7. ☐ Concise Explanation of Non-English Language Listed Information Items.
8. ☐ Translation(s) of Non-English Language Documents
9. ☐ Certification under MPEP 609(e)
10. ☒ Identification of Person(s) Making This Information Disclosure Statement

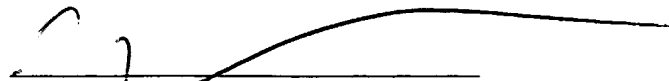
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CERTIFICATE OF MAILING

[X] Certified Mail No: 7002 0860 0005 0313 7433

Date: August 17, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service, return receipt requested in an envelope addressed to: Mail Stop DD, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date.

  
Justin Wood

## **Section 1. Preliminary statements**

Applicant submits herewith patents, publications or other information of which he is aware, which he believes may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR 1.56.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 CFR 1.56(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

## **Section 2. Form PTO - 1449 (Modified) (SEE ATTACHMENT)**

\*EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw a line through citation if not in conformance or not considered. Include a copy of this form with the next communication to applicant.

## **Section 3. Statement As To Information Material For Examination Not Found in Patents or Publications (Information not listed in PTO 1449)**

## **Section 4. Identification of Prior Application in Which Listed Information Was Already Cited and For Which No Copies Are Submitted Or Need Be Submitted**

## **Section 5. Cumulative Patents or Publications**

☐ Item(s)

are cumulative of the following patents or publication listed on Form PTO 1449 (modified):

In accordance with 37 CFR 1.98(c) a copy of \_\_\_\_\_ is being submitted with this information disclosure statement.

## **Section 6. Copies of Listed Information Items Accompanying This Statement**

Legible copies of all items listed accompany this information statement.

☐ Exception(s) to above:

☐ Items in prior application from which an earlier filing date is claimed for this application as identified in Section 4.

☐ Cumulative patents or publications identified in Section 5.

## **Section 7. Concise Explanation of Non-English Language Listed Information Items**

## **Section 8. Translation(s) of Non-English Language Documents**

☐ Submitted herewith is an English translation of the following foreign language patents, publications or information or of those portions of those patents, publications or information considered to be material:

☐ No English language translations of the foreign language patents, publications or information or parts thereof are readily available, except for those listed above.

☐ The following foreign language documents submitted are believed to be the equivalent or

substantial equivalent of the English language documents identified below, which are also submitted herewith.

#### Section 9. Certification under Rule 1.97

☐ The undersigned hereby certifies that:

a. This Statement is being filed after the latest of (1) three months after the filing date of a national application; (2) three months after the date of entry of the national stage as set forth in w 1.491 in an international application; (3) the mailing date of a first Office action on the merits.

b. The fee set forth in §1.17(p)

☐ Is being paid with this Information Disclosure Statement

☐ Is not due because:

☐ (1) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement, or

☐ (2) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the statement.

#### Section 10. IDENTIFICATION OF PERSON(S) MAKING THIS INFORMATION DISCLOSURE STATEMENT

The person making this statement is


(a) ☐ the inventor(s) who signs below

(b) ☒ the attorney who signs below on the basis of:

☐ the information supplied by the inventor(s)

☐ an individual associated with the filing and prosecution of this application (37 CFR 1.56(c)).

☒ the information in the attorney's file

  
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8/17/04  
Date: August 17, 2004



Section 2 Form PTO - 1449 (Modified) (ATTACHMENT)

FORM PTO-1449 U.S. DEPT. OF COMMERCE (Modified) PATENT AND TRADEMARK OFFICE	ATTY DOCKET NO. PMI-28	SERIAL NO. 10/826,095
	APPLICANT Gupta et al.	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	FILING DATE 4/16/2004	GROUP 2856

U.S. PATENT DOCUMENTS

Exam Initial	DOCUMENT NUMBER	DATE	PATENTEE	CLASS	SUB	FILING DATE IF APPROPR
	2,465,948	3/1949	Welge	73	38	
	2,534,737	12/1950	Rose	73	38	
	2,612,036	9/1952	Angona	73	38	
	2,706,904	4/1955	Hertel	73	38	
	2,755,660	7/1956	Kammermeyer et al.	73	38	
	2,788,657	04-1957	Innes	73	38	
	3,262,319	07-1966	Orr et al.	73	38	
	4,112,738	9-1978	Turner	13	32R	
	4,149,402	04-1979	Manes	73	19.12	
	4,203,317	05/20/80	Gupta	73	38	
	4,217,336	08/1980	Maire et al.	423	448	
	4,489,593	12-1984	Pieters	73	38	
	4,576,927	03/1986	Kuroda et al.	502	402	
	4,660,412	04/28/87	Gupta	73	38	
	4,718,270	1-1988	Storr	73	38	
	4,744,240	05/17/88	Reichelt	73	38	
	5,151,187	9-1992	Behmann	210	607	
	5,263,360	11-1993	Blauch et al.	73	38	
	5,316,682	5-1994	Keyser et al.	210	649	
	5,373,727	12-1994	Heller et al.	73	38	
	5,442,950	08-1995	Unalmiser et al.	73	38	
	5,674,404	10-1997	Keyser et al.	210	741	
	5,695,818	12/1997	Soffer et al	427	248.1	
	5,696,198	12/1997	Chereisky er al.	524	496	
	5,955,185	09/1999	Yoshino et al.	428	304.4	

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

Exam Initial	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB	TRANSLATION YES   NO
	DT1927171	12/03/1970	East Germany	G01N	42 1, 13/04	No
	DE3312729A1	10/11/84	West Germany	G01N	15/08	No
	0139202	05/02/85	EPO	G01N	15/08	
	EP0831318	03/25/1998	EPO	G01N	15/08	
	229,002	2/1969	U.S.S.R.	73	38	
	853,492	8/1981	U.S.S.R.	73	38	

	1,118,900	10/1984	U.S.S.R.	73	38	
	1,130,772	12/1984	U.S.S.R.	73	38	
	1,807,341	4/1993	U.S.S.R.	73	38	
	DE 19858338	12/1997	Germany	G01N	15/08	

# OTHER PRIOR ART

Examiner Initial	Prior Art, Title, Date, Pertinent Pages, Etc
	Jena, Akshaya K. and Gupta, Krishna M.. "In-Plane Compression Porometry of Battery Separators." Journal of Power Sources 80. 1999. Pg. 46-52
	Gupta, Vibhor and Jena, A.K.. " Substitution of Alcohol in Porometers For Bubble Point Determination." Advances in Filtration and Separation Technology. Col. 13b, 1999 pg. 833-844.
	Gupta, Nalini and Jena, Akshaya. " Measuring in Layers: Determining the Pore Structure of Individual Layers of Multi-Layered Ceramic Composites." Ceramic Industry, February 2001. Pg. 28-33
	Jena, Akshaya K. and Gupta, Krishna M. " Determination of Pore Volume and Pore Distribution by Liquid Extrusion Porosimetry Without Using Mercury" Ceramic Engineering and Science Proceedings, 2002, Pg. 277-284
	"DWI - LB74 Porosity" <a href="http://www.dwi.twth-aachen.de/lb/74.html">http://www.dwi.twth-aachen.de/lb/74.html</a> . 12/27/1997
	Jena, Akshaya K. and Gupta, Krishna M. "A Novel Mercury Free Technique for Determination of Pore Volume, Pore Size and Liquid Permeability." P/M Science & Technology Briefs, Vol. 4, No. 1, 2002. Pp. 5-8
	Jena, Akshaya K. and Gupta, Krishna M. " Materials Pore-Sight Testing Pore Volume and Flow Through Porous Materials" Materials World, The Journal of the Institute of Materials, Vol. 10, Num. 2, February 2002.
	Jena, Akshaya and Gupta, Krishna, "Measurement of Pore Volumen and Flow through Porous Materials", Material Testing; June 2002
	Thelen, E. "Soil Permeability Tester", Franklin Institute Laboratories Notes: Franklin Inst. Journal, vol. 253, April 1952, pp. 340-341.

EXAMINER

DATE CONSIDERED
